

## REMARKS

In the Office Action, claims 8 and 10-27 were pending. Claims 8, 10, 19, 20 and 25 have been amended, claims 1-5, 9, and 20-27 are cancelled. Reconsideration and allowance of the pending claims is respectfully requested in view of the amendments and the following discussion.

### **Rejections in view of prior art**

Claims 8 and 10-19 stand rejected under 35 U.S.C. 103(a) as being unpatentable over US Publication No. 2003/0093067 to Panescu (herein the Panescu reference) in view of US Patent No. 5, 997, 883 to Epstein (herein the Epstein reference).

In the Applicant's previous response dated September 12, 2007, claim 8 had been amended to recite similar limitations to those indicated by the Examiner to be allowable subject matter over the cited Panescu reference, the Epstein reference, and the Willis reference. See Office Action dated June 12, 2007. The Examiner now alleges that claim 8 is unpatentable over the Panescu reference in view of the Epstein reference.

Applicant argues that the Examiner's previous indication of allowable subject over the cited Panescu reference and Epstein reference supports Applicant's argument that the limitations of claim 8 would not be obvious to one of ordinary skill in the art in view of the Panescu and Epstein references.

Also, claim 8 recites a method comprising generating an image of an organ or structure inside a body which is substantially correlated to a point in a bodily cycle, the image being generated by interpolating between or extrapolating from at least two other images of the organ or structure taken at other points of the bodily cycle; spatially registering the representation of the probe with the image; and simultaneously displaying the image and a representation of a probe, the image and representation of the probe registered to substantially the same point in a bodily cycle.

None of the cited references disclose "the image and representation of the probe registered to substantially the same point in the bodily cycle", as recited in claim 8. The Panescu reference merely discloses registering "target site data" for ablation within a heart relative to registered image data. See paragraph 34. The Epstein reference does not

disclose a probe as recited in claim 8. Thus, for at least this reason, the cited references do not teach each and every limitation of the claimed invention. Accordingly, Applicant respectfully requests reconsideration and allowance of claim 8.

Claims 10-14 depend from claim 8 and are believed allowable for at least the same reasons that claim 8 is believed allowable.

Claim 15 recites a method that comprises, inter alia, the step of “registering a representation of a probe which is inside the body with the image, the representation of the probe and the image being registered to the point in the bodily cycle.” For reasons similar to those described above with respect to claim 8, the Panescu and Epstein references do not recite the above highlighted limitation of the representation and the image registered to a point in the bodily cycle as recited in claim 15. For at least this reason, the cited references do not teach each and every limitation of the claimed invention. Accordingly, Applicant respectfully requests reconsideration and allowance of claim 15.

Claims 16-19 depend from claim 15 and are believed allowable for at least the same reasons that claim 15 is believed allowable.

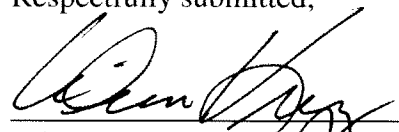
### **CONCLUSION**

Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

No fees are believed due with this communication. Yet, the Commissioner is hereby authorized to charge any additional fees which may be required regarding this application or credit any overpayment to Deposit Account No. 070845. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension and authorizes payment of any such extension fees to Deposit Account No. 070845.

The Examiner is invited to contact the undersigned at telephone number (262) 548-4654 if it is felt that a telephone interview would advance the prosecution of the application.

Respectfully submitted,

  
William T. Kryger  
Reg. No. 53,163

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Customer No. 61604